

Your Connection To The State Reg Flex Community

September, 2008

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Small Business Regulatory Flexibility Initiative

Find model legislation, success stories, executive orders, best practices and more at:
www.sba.gov/advo/laws/law_modeleg.html

Office of Advocacy State Reg Flex Roundup

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Ohio Launches Regulatory Reform Task Force

In July, Ohio legislative leaders formed the Regulatory Reform Task Force to hold hearings across the state, providing small business owners and other interested parties with an opportunity to share their stories. Senator Keith Faber (R-Celina) and Representative James Zehringer (R-Fort Recovery) are leading the Task Force, which aims to produce regulatory reform ideas in the hopes of stimulating Ohio's economy. Other members of the Task Force include State Senators Tom Niehaus (R-New Richmond), and Capri Cafaro (D-Hubbard), and State Representatives Steve Reinhard (R-Bucyrus) and Jay Goyal (D-Mansfield).

The first Task Force hearing was held in Columbus on August 13, 2008. Groups including the Ohio Aggregates and Industrial Minerals Association, the Ohio Society of Certified Public Accountants, the Ohio Farm Bureau, the Ohio Small Business Council, the Ohio Chapter of the National Federation of Independent Business, and the U.S. Small Business Administration's Office of Advocacy testified on the need for regulatory reform.

The first regional meeting of the Task Force was held on September 4, 2008, at the AK Steel Corporate Headquarters in West Chester. Approximately 30 business and community leaders attended the meeting to discuss regulatory reform issues. The Task Force intends to hold additional regional meetings across the state in the coming months.

"The upcoming regional meetings will give us an opportunity to talk with small business owners who have had first-hand experience navigating Ohio's regulatory waters, as well as provide the task force members with ideas for possible solutions," Rep. Zehringer said.

For the dates, times, and locations of the upcoming meetings, please contact Nathan Aichele with Senator Faber's office at (614) 466-7584 or Michael Rodgers with Representative Zehringer's office at (614) 466-6344.

For more information: Senator Keith Faber, SD12@mailr.sen.state.oh.us

Hawai'i Extends Law To Support Small Business

Hawai'i lawmakers acted again this session to make the state a friendlier place for small businesses to thrive. On July 9th, House Bill (HB) 2781 became law. The bill benefits small businesses by establishing a Small Business Bill of Rights, which includes a requirement that state agencies create a "one-stop permitting process" for small businesses, as well as a requirement that agencies provide timely notice of their rulemaking proceedings. The bill also requires agencies to perform a more rigorous examination and justification of rules that impose standards stricter than the comparable federal, state, or county law.

The bill added these requirements to Hawai'i's existing regulatory flexibility law, which includes an economic impact analysis, a regulatory flexibility analysis, and periodic and judicial review provisions. Hawai'i law also provides for a Small Business Regulatory Review Board, which considers requests from small business owners for the review of any rule adopted by an agency.

The bill had support from several business groups and the Hawai'i Small Business Regulatory Review Board. "The passage of HB 2871 combining a Small Business Bill of Rights and the designing and implementation of a more in-depth financial impact statement is a very positive step forward for small business in Hawai'i," said Small Business Regulatory Review Board Chairperson Lynne Woods. "Our Board is most appreciative of the legislative and administrative support shown during this past legislative year."

For more information: Lynne Woods, lynne@billwoods.com

Virginia Invites Public Into Rulemaking Process

In early 2007, Virginia's Department of Planning and Budget (DPB) and the Attorney General's Government and Regulatory Reform Task Force began working together on an initiative to reduce the number of outdated, unnecessary regulations. One task that emerged from this effort was creating a uniform set of participation guidelines that would promote the public's involvement in the state's rulemaking process. After its implementation, these guidelines will provide consistency among rulemaking agencies and make it easier for the public to navigate a once tangled public participation process.

The new guidelines also have a secondary benefit in ensuring that all agencies have updated guidelines in place that recognize the importance of electronic communication and rely on the state's primary regulatory website, the Virginia Town Hall.

To accomplish this goal, the Virginia General Assembly enacted SB 734/HB 1167 directing DPB to provide model public participation guidelines for most state agencies that engage in rulemaking activities. In some cases, agencies may also opt to use the model guidelines to craft updated public participation guidelines that meet that agency's unique needs.

Preliminary surveys indicate that approximately 75-80% of the state's nearly 100 agencies and boards intend to promulgate the model guidelines. The statute requires each agency to have its new guidelines in place by January 1, 2009.

More information about the process can be found on Virginia's Town Hall website at <http://townhall.virginia.gov/l/ppg.cfm> or by contacting Rachael Harrell at (804) 786-5067 or Jeannine Rose at (804) 786-7575.

For more information: Rachael Harrell, rachael.harrell@dpb.virginia.gov

Tell Us Your Story: Write An Article For The State Reg Flex Roundup

The state reg flex community (www.sba.gov/advo/laws/law_modeleg.html) would like to know how small business regulatory flexibility is working in your state.

Have you introduced and passed legislation or has the governor signed an executive order? How are you implementing the law, and what challenges have you encountered? Are you involving small business owners and their representatives in regulatory

small business regulatory flexibility issues. To subscribe or unsubscribe from this list, please send an email to: advocacy@sba.gov

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flexibility, and if so, how? What are you doing to train and inform state agencies about their responsibilities?

Tell us more about these issues by submitting a short (250 words) article for publication. Be sure to include full contact information, including websites, so that others around the country can learn from your experiences.

To submit an article for the State Reg Flex Roundup, send an email to John McDowell at john.mcdowell@sba.gov or call 202-205-6941. Submissions of news releases from the past several months are welcome.

For more information: John McDowell, john.mcdowell@sba.gov